

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of remarks herewith.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-18 are pending. Claims 1, 2, 7, 8, 13, and 14 are independent. Claims 1, 2, 7, 8 and 13-18 are hereby amended. No new matter has been added. Support for this amendment is provided throughout the Specification as originally filed and specifically on page 20-21 (paragraphs [0074]-[0075]). Claims 19-24 are hereby canceled without prejudice or disclaimer of subject matter. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §101

Claims 1-6 and 13-19 are hereby amended, thereby obviating the rejection under 35 U.S.C. §101. Indeed, Applicants submit that all of the pending claims are directed to a statutory class of invention.

III. REJECTIONS UNDER 35 U.S.C. §102

Claims 1-24 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,966,387 to Cloutier (hereinafter, merely “Cloutier”).

Claims 1 and 2 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by JP363262942A (hereinafter, merely “JP363262942A”).

IV. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“...adjustment means for adjusting a reproduction time on the basis of said difference by adding/subtracting a time equivalent to one clock to/from each steam data packet on which the difference is equivalent to one clock...” (Emphasis added)

As understood by Applicants, Cloutier relates to network monitoring devices used to monitor timing errors created during transport of digital information through packet switched networks such as Asynchronous Transfer Mode (ATM) networks.

Applicants submit that neither of the cited references, taken alone or in combination, teaches or discloses the above discussed feature of claim 1. Specifically, neither Cloutier nor JP363262942A teaches or suggests adjustment means for adjusting a reproduction time on the basis of said difference by adding/subtracting a time equivalent to one clock to/from each steam data packet on which the difference is equivalent to one clock, as recited in claim 1.

Specifically, the Office Action relies on Cloutier to describe a jitter correction device and relies on JP363262942A to describe a reproduction interval correction. However, Applicants submit that in Cloutier, a technique for correcting for the jitter in the MPEG stream is by using a timing restamp module 146, whereby the PCR values stored in the MPEG stream are rewritten with corrected time stamps in accordance with the detected jitter (See, Cloutier, col. 11, lines 39-43); and in JP363262942A, a reproduction interval is corrected by calculating a time difference between the reception time and reproduction time (See, JP363262942A, Abstract). In

the present invention, the number of TS packets on which an error equivalent to one clock occurs is obtained as adjusted packet count C and a time equivalent to one clock is added or subtracted for each adjusted packet count C, thereby adjusting time stamp Tx (See, Specification, page 21, paragraph [0075]). Thus, the present invention can solve the problem of executing a hardware processing shorter than the clock width, which is the minimum unit of time (See, Specification, page 20, paragraph [0074]). Consequently, nothing has been found in Cloutier or JP363262942A that would teach adjustment means for adjusting a reproduction time on the basis of said difference by adding/subtracting a time equivalent to one clock to/from each steam data packet on which the difference is equivalent to one clock, as recited in claim 1.

Therefore, Applicants respectfully submit that Cloutier and JP363262942A fail to teach or suggest adjustment means for adjusting a reproduction time on the basis of said difference by adding/subtracting a time equivalent to one clock to/from each steam data packet on which the difference is equivalent to one clock, as recited in claim 1.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 2, 7, 8, 13, and 14 are also patentable.

V. DEPENDENT CLAIMS

The other claims are dependent from an independent claim, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

CONCLUSION

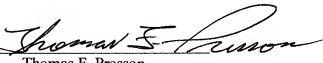
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800